

Notice of Allowability

Application No.

10/815,616

Examiner

Tae W. Kim

Applicant(s)

SILVERBROOK

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 4/26/07.
2. ☒ The allowed claim(s) is/are 1,4-14 and 17-23.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Amendment

1. Receipt is acknowledged of the Amendment filed on April 26, 2007.

Allowable Subject Matter

2. Claims 1, 4-14, and 17- 23 are allowed. The following is an examiner's statement of reasons for allowance:

With respect to claims 1, 4-11, the prior art or record, taken alone or in combination, fails to teach or fairly suggest at least a shopping system comprising: a card for identifying a user to a computer system using a sensing device, the card having first interface surface having disposed thereon or therein first coded data, the first coded data including a plurality of first coded data portions, each first coded data portion being indicative of an identity of the user; and a shopping receptacle having a shopping receptacle identity, the shopping receptacle comprising an optical sensing device adapted to:

- (a) sense at least one first coded data portion on the card;
- (b) sense second coded data on a second interface surface of a product item, said second coded data being indicative of a product identity and of plurality of locations on the second interface surface;
- (c) generate first indicating data identifying the user identity using the sensed first coded data;
- (d) generate second indicating data using the sensed second coded data; and,

(e) transfer the shopping receptacle identity data, the first indicating data and the second indicating data to the computer system, the computer system being responsive to the received data to perform an action,

wherein the second indicating data is indicative of the product identity and I) of at least one of :

- (i) a position of the sensed second coded data;
- (ii) a position of the sensing device relative to the second interface surface;
- (iii) an orientation of the sensed second coded data; and,
- (iv) an orientation of the sensing device relative to the second interface surface.

With respect to claims 12-14 and 17- 23, the prior art or record, taken alone or in combination, fails to teach or fairly suggest at least a method of shopping using a card and a shopping receptacle, the card having first interface surface having disposed thereon or therein first coded data, the first coded data including a plurality of first coded data portions, each first coded data portion being indicative of an identity of the user; the shopping receptacle having a shopping receptacle identity, the shopping receptacle comprising an optical sensing device, wherein the method includes in the sensing device:

- (a) sense at least one first coded data portion of the first interface surface;
- (b) sense second coded data on a second interface surface of a product item, said second coded data being indicative of a product identity and of plurality of locations on the second interface surface;

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(c) generate first indicating data identifying the user identity using the sensed first coded data;

(d) generate second indicating data using the sensed second coded data; and,

(e) transfer the shopping receptacle identity data, the first indicating data and the second indicating data to the computer system, the computer system being responsive to the received data to perform an action,

wherein the second indicating data is indicative of the product identity and I)of at least one of :

(i) a position of the sensed second coded data;

(ii) a position of the sensing device relative to the second interface surface;

(iii) an orientation of the sensed second coded data; and,

(iv) an orientation of the sensing device relative to the second interface surface.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tae W. Kim whose telephone number is (571)272-5971. The examiner can normally be reached on Mon-Fri 7AM-4:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571)272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703)872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866)217-9197 (toll-free).

Tae W. Kim
Art Unit 2876
Patent Examiner

TWK


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